

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Meyer et al.

Title: BONDING AND
INTERCONNECT TO A CIRCUIT
DEVICE AND RELATED
DEVICES

Appl. No.: 10/822,064

Filing Date: 04/08/2004

Examiner: Chang, Rick Kiltae

Art Unit: 3726

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
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Todd A. Rathe

(Printed Name)

(Signature)

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Election of Species Requirement mailed on April 18, 2007.

I. Election of Species Requirement

The Office Action asserts that the claims are directed to the following species:

Species 1: covalent bonding;

Species 2: ionic bonding; and

Species 3: adhesive bonding; and

Species 4: low temperature bonding.

II. Traversal with respect to Species 4

Applicants respectfully traverse the election of species requirement with respect to Species 4. Applicants respectfully note that "low temperature bonding" is the temperature at which the bonding occurs and NOT a type or species of bonding. This is evidenced by claim 19 which recites that the act of bonding comprises "covalent, low temperature bonding." This is further evidenced by claim 45 which depends from claim 44 and further recites that the covalent bonding recited in claim 44 is performed at a "low temperature."

Moreover, MPEP 806.04(f) is clear that claims to be restricted to different species must be mutually exclusive. In other words, claims to be restricted to different species must recite mutually exclusive characteristics of such species. Claims are never species. As a corollary, individual claimed features are not species. As noted above, Species 1: "covalent bonding" and Species 2: "low temperature bonding" are clearly not mutually exclusive. Accordingly, the election of species requirement with respect to species 4 is improper and should be withdrawn.

III. Provisional Election with Traverse

As noted above, the Office Action improperly identifies "low temperature bonding" as a species distinct from Species 1-3. However, in an attempt to be responsive to the election of species requirement, Applicants hereby elect Species I: covalent bonding. Claims 1-9, 12-19, 21 and 25-55 read upon the one or more embodiments that include covalent bonding.

IV. Request for Associating Reference Numerals with Claim Limitations

Section 3 of the Office Action requested that reference numerals be associated with claim limitations. During the Examiner Interview held on January 7, 2007, the Examiner indicated that

such request was optional. Although Applicants would like to satisfy the Examiner's request for such a list, Applicants concern is that such a list would potentially be construed to unduly limit the scope of the claims. Therefore, Applicants wish to refrain from making such a list of record. However, Applicants would be willing to provide the Examiner with the requested associated reference numerals during a telephonic interview to assist the Examiner with associating example structures in the disclosure with the claimed limitations. Applicants invite the Examiner to contact the undersigned to set up such an interview.

V. Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date May 17, 2007

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